



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, 7TH INFANTRY DIVISION & FORT CARSON
6101 WETZEL AVENUE, BLDG. 1430
FORT CARSON, COLORADO 80913-4145

AFZC-CG

1 November 2005

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Family Advocacy Policy File #10

1. REFERENCES.

- a. DoD Directive 6400.1, Family Advocacy Program, dated 23 August 2004.
- b. AR 608-18, The Army Family Advocacy Program, dated 27 September 2004.
- c. AR 608-1, Army Community Service (ACS), dated 22 December 2004.

2. APPLICABILITY. This policy applies to all Fort Carson units, commands, activities, and personnel, whether assigned or attached to Fort Carson. If outside commands or other parent organizations establish conflicting policies, such policies may apply on Fort Carson only if approved by me.

3. POLICY. The Family Advocacy Program (FAP) is a Commander's program designed to prevent spouse and child abuse, to encourage the reporting of all instances of abuse, to ensure the prompt assessment and investigation of abuse cases, to protect victims of abuse, and to treat all family members affected by or involved in abuse.

a. Every Soldier, employee, and civilian member of the military community should report information about known or suspected incidents of child or spouse abuse to Social Work Service (SWS) at 526-4585. After duty hours reporting should be made to the Evans Army Community Hospital, Emergency Room at 526-7111. Abuse allegations will be investigated by appropriate law enforcement authorities. Commanders will be notified when their Soldiers are involved in spouse abuse, child abuse, or child neglect. In addition to the corrective programs listed below, Commanders are responsible for taking action they deem appropriate in accordance with the Uniform Code of Military Justice.

b. Family violence, including child and spouse abuse as well as violence perpetrated by a single Soldier against partners, adversely impacts morale, welfare, and mission readiness. Because of this impact, commanders are the responsible individuals to take immediate steps to alleviate family violence.

(1) Leaders at all levels must be alert for evidence of domestic violence, report it, and react promptly. Commanders must take appropriate action to protect victims of abuse from further harm. Army Community Service (ACS) offers victim advocacy

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services and can assist in addressing victim safety issues. ACS FAP may be contracted at 526-8471 (Pager 577-3171). If an active duty Soldier is identified as the alleged offender, commanders will order the offender into government billeting. The Soldier-offender will have no contact with the home/quarters or victim for a minimum of 72 hours. If an Emergency Protective Order (EPO) or Domestic Violence Order (DVO) is in place, Commanders will monitor the Soldier-offender's compliance with the order(s). When the civilian spouse is the offender, Commanders will make every effort to ensure the safety of the Soldier. Safety measures will include offering the Soldier-victim temporary living space in the unit's assigned billets or ensuring other suitable arrangements.

(2) SWS will provide treatment for Soldiers and family members experiencing family violence. SWS will be responsible for incident assessment, notification to Commanders, coordination and supervision of the Case Review Committee (CRC), establishment of treatment plans on substantiated cases, and provision of progress reports to the command.

(3) Commanders will coordinate with the FAP Manager at ACS to obtain FAP training within 45 days of assuming command. Commanders will also ensure all assigned Soldiers receive annual Family Violence Prevention/Awareness Training as mandated by AR 608-18, paragraph 3-2c.

(4) Unit Commanders will attend CRC meetings when a case involving one of their Soldiers or family members is being presented. SWS will notify Unit Commanders of scheduled CRC.

(5) Commanders will ensure that Soldiers involved in family violence attend (immediate and uninterrupted) recommended treatment. The Soldier's place of duty will include scheduled appointments until treatment is completed.

(6) SWS will provide a monthly update to Commanders of their Soldiers who are enrolled in FAP. Soldiers whom SWS has assessed as high risk for homicidal behavior will not be considered deployable while enrolled in treatment. If the unit mission requires high risk Soldiers to deploy, approval by the Brigade/Regiment Commander must be obtained.

(7) All Soldiers must receive reunion training during reintegration phase of deployment. ACS/FAP is responsible for developing and implementing programs to address family advocacy issues of redeploying Soldiers not enrolled in treatment. Soldiers enrolled in FAP must also be re-evaluated by SWS within 48 to 72 hours upon returning from a deployment. The G1 or S1 is responsible for notifying SWS of returning Soldiers who are enrolled in FAP and requiring a post-deployment evaluation.

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(8) Mandated treatment does not preclude disciplinary and administrative actions against offenders in appropriate cases. Commanders should consult with their assigned judge advocate (Trial Counsel) regarding applicability of the Lautenberg Amendment and when considering administrative and disciplinary action.

c. The Fort Carson goal is to break the cycle of abuse by actively engaging in preventive strategies, encouraging early identification, and promoting effective treatment of abuse for Soldiers and affected family members.

d. Actions listed in Checklists at enclosures 1 and 2 are the minimum actions required in cases of spouse and child abuse.

4. SUPERSESSION. This policy letter supersedes Commanding General Policy File #11 dated 3 February 2003.

5. EXPIRATION. This Command Policy Memorandum will remain in effect until superseded or rescinded.

6. POC for this policy is the ACS FAP Manager at 526-4590, or SWS at 526-4585.

2 Encls


ROBERT W. MIXON, JR.
Major General, US Army
Commanding

DISTRIBUTION:

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DOMESTIC VIOLENCE CHECKLIST

Date of Incident: _____

Upon the notification or discovery of any incident or credible report of domestic violence, Commanders will immediately take the following steps:

- ☐ 1. Contact the unit Trial Counsel for legal guidance.
- ☐ 2. Report the incident to the Social Work Services (SWS) at 526-4585 or after duty hours to Evans Army Community Hospital, Emergency Room at 526-7111.
- ☐ 3. Advise the Soldier suspected of domestic violence of his/her Article 31, UCMJ, rights and, if he/she waives these rights, question the Soldier to ascertain the facts and potential for harm to self and/or others.
- ☐ 4. Ensured Social Work Services (526-4585) has contacted the victim of the domestic violence to ascertain the facts and identify any immediate safety concerns.
- ☐ 5. Make contact with the Family Advocacy Program, Victim Advocate Program Coordinator by calling 526-8471 (Pager 577-3171). This Coordinator will work in close coordination with the command as well as on- and off-post agencies to ensure that safety measures are in place for providing advocacy assistance and support to victims of domestic violence. Victim participation in the program is voluntary.
- ☐ 6. Provide billeting and order the Soldier to move into the alternate billeting for a minimum of 72 hours. If the 72-hour period ends on a weekend or holiday, then the Soldier will continue to stay in alternate billeting until the first duty day.
- ☐ 7. Order the Soldier to immediately turn in all privately owned firearms to the unit's arms room. Send a NCO in the grade of E-6 or higher to the Soldier's home to retrieve any firearms. Order the Soldier to have no contact with firearms unless in the course of normal duty.
- ☐ 8. If it is believed that a Soldier is suicidal and/or homicidal, he/she must be emergently referred for a psychiatric evaluation at the divisional or corps mental health unit serving the Soldier's unit. During non-duty hours, take the Soldier to the Emergency Room at Evans Army Community Hospital. Soldier must be advised of certain rights before being command referred for a mental health evaluation. Consult with Trial Counsel prior to referral.
- ☐ 9. Reassess the situation at the end of the 72-hour period, and determine if the above restrictions should be modified, continued, or canceled.
- ☐ 10. Consult with Trial Counsel to take any other additional measures you, as the Commander, deems necessary to prevent further incidents of family abuse, injury, or death. Indicate below what other measures, if any, were taken.
- ☐ 11. Ensure the following rights of victims are observed: privacy, safety, autonomy and self-determination.

EMERGENCY PROTECTION ORDER CHECKLIST

Date of Incident: _____

When a Soldier is the subject of an Emergency Protection Order (EPO) issued by any court, Commanders will immediately take the following steps:

- ☐ 1. Contact the unit Trial Counsel for legal guidance.
- ☐ 2. The Commander will review the EPO, consult with Trial Counsel, and explain its contents to the Soldier to ensure the Soldier fully understands the restrictions of the EPO and the penalties for failure to obey it. If, after advising the Soldier of his/her Article 31, UCMJ, rights, the Soldier waives these rights, the Commander will also question the Soldier to ascertain the facts and potential for harm to self and/or others. A copy of the EPO will be provided to the Trial Counsel.
- ☐ 3. Provide billeting and order the Soldier to move into the alternate billeting for a minimum of 72 hours. If the 72-hour period ends on a weekend or holiday, then the Soldier will continue to reside in alternate billeting until the first duty day.
- ☐ 4. Ensured Social Work Services (526-4585) has contacted the victim of the domestic violence named in the EPO to ascertain the facts and identify any immediate safety concerns.
- ☐ 5. Make contact with the ACS Family Advocacy Program, Victim Advocate Coordinator by calling 526-8471 (pager 577-3171). This Coordinator will work in close coordination with the command as well as on- and off-post agencies to ensure that safety measures are in place for providing advocacy assistance and support to victims of domestic violence. Victim participation in the program is voluntary.
- ☐ 6. Consult with Trial Counsel and, if warranted, withdraw the Soldier's pass privileges for a minimum of 72 hours.
- ☐ 7. Consult with Trial Counsel in order to consider restrictions against the Soldier and/or the need for an NCO escort.
- ☐ 8. Coordinate with Trial Counsel and give the Soldier a written "no contact" order. Should the EPO become a Permanent Restraining Order (PRO), re-issue a written "no contact" order for the duration of the PRO.
- ☐ 9. Order the Soldier to immediately turn in all privately owned firearms to the unit's arms room. Send a NCO in the grade of E-6 or higher to the Soldier's home to retrieve any firearms. Order the Soldier to have no contact with firearms unless in the course of normal duty.
- ☐ 10. If it is believed that a Soldier is suicidal and/or homicidal, he/she must be emergently referred for a psychiatric evaluation at the divisional or corps mental health unit serving the Soldier's unit. During non-duty hours, take the Soldier to the Emergency Room at Evans Army Community Hospital. Soldier must be advised of certain rights before being command referred for a mental health evaluation. Consult with Trial Counsel prior to referral.